

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

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RODOSVALDO POZO,

Plaintiff,

v.

Case No. 08-C-716

OFFICER HERWIG and CAPTAIN GEGARE,

Defendants.

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**DECISION AND ORDER**

The plaintiff, Rodosvaldo Pozo, who is incarcerated at Racine Correctional Institution, lodged a *pro se* civil rights complaint under 42 U.S.C. § 1983, alleging that his civil rights were violated. In an order dated November 6, 2008, the court noted that the Seventh Circuit had sanctioned the plaintiff in accordance with *Support Systems, Int'l v. Mack*, 45 F.3d 185 (7th Cir. 1995) (per curiam), and barred him from filing further civil suits in the courts of this circuit. Consequently, the court denied plaintiff's motion for leave to proceed *in forma pauperis* and dismissed this action.

The plaintiff has now filed a motion for reconsideration. He alleges that he is in imminent danger and should, therefore, be allowed to proceed *in forma pauperis*, even though he acknowledges he has three strikes and owes the court money. The plaintiff attached to his motion for reconsideration a copy of an order issued by the Western District of Wisconsin on February 8, 2008, in *Pozo v. Huibregtse, et al.*, Case No. 07-C-0597. The Western District of Wisconsin order restates the principles of law set forth in this court's November 6, 2008 order. Specifically, in

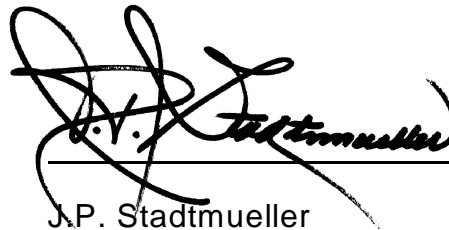
*Mack*, the court allowed only two tiny exceptions. The clerk may file papers in a criminal case in which the person is a defendant or an application for a writ of habeas corpus. *Mack*, 45 F.3d at 186. Neither exception applies to the plaintiff's civil rights complaint. The plaintiff's motion for reconsideration will be denied.

**ORDER**

**IT IS THEREFORE ORDERED** that the plaintiff's motion for reconsideration (Docket #10) be and hereby is **DENIED**;

Dated at Milwaukee, Wisconsin, this 25th day of November, 2008.

BY THE COURT:

A handwritten signature in black ink, appearing to read "J.P. Stadtmueller", is written over a horizontal line.

J.P. Stadtmueller  
U.S. District Judge